



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance*

One Ashburton Place, Boston 02108

727-8352

December 17, 1984

AO-1984-17

Lori Caron Silveira, Esquire
Letts, Quinn & Licht
1616 Hospital Trust Tower
Providence, RI 02903

Dear Ms. Silveira:

You have recently requested an advisory opinion concerning the application of M.G.L. c. 55, the campaign finance law, to certain activities. Specifically, you have inquired whether Section 8 of Chapter 55 prohibits a Massachusetts corporation from contributing funds to the campaign of a candidate for public office in a state other than Massachusetts.

M.G.L. c. 55, was enacted as Chapter 151 of the Acts of 1975. It's stated purposes are "to provide for public disclosure of political contributions and expenditures and the regulation of said contributions and expenditures." It is clear that the intent of this law is to regulate public elections in the Commonwealth. In fact, Section 34 of G.L. c. 55 states that, "Sections one to thirty three, inclusive, shall apply to all public elections and to elections by the general court and by city councils and by either branch thereof, and, so far as applicable, to the nomination by primaries, caucuses, conventions and nomination papers of candidates to be voted for at such elections."

Section 8 of G.L. c. 55 provides that;

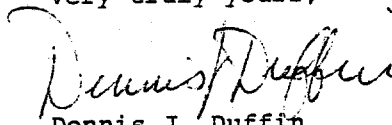
" No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, no company having the right to take land by eminent domain or to exercise franchises in public ways, granted by the commonwealth or by any county, city or town, no trustee or trustees owning or holding the majority of the stock of such a corporation, no business corporation incorporated under the laws of or doing business in the commonwealth and no officer or agent acting in behalf of any corporation mentioned in this section, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing for the purpose of aiding, promoting or preventing the nomination or election of any person to public office..."

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In my opinion the legislature intended to regulate that corporate activity which affects the public election process in the Commonwealth, and not all activities of corporations which are located in the Commonwealth.

In conclusion, it is my opinion that Section 8 of Chapter 55 does not prohibit a Massachusetts corporation from contributing funds to the campaign of a candidate for public office in a state other than Massachusetts. Please note, however, that I cannot discuss the application of other Massachusetts laws to your question, as my jurisdiction does not extend beyond campaign finance laws. In addition, I would advise that you consult the applicable laws of the state where the public election in question is being held to determine the application of any laws of that state to your question.

Very truly yours,


Dennis J. Duffin
Director

DJD/rep